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**From:** Chin, Lucita [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EA404E3F56574242AEE0811A07E309FC-CHIN, LUCITA]  
**Sent:** 3/18/2019 5:49:25 PM  
**To:** Tinsley, Chuck [Tinsley.Chuck@epa.gov]; Minter, Douglas [Minter.Douglas@epa.gov]; Shea, Valois [Shea.Valois@epa.gov]; Bahrman, Sarah [Bahrman.Sarah@epa.gov]  
**CC:** Arnold, Rick [Arnold.Rick@epa.gov]  
**Subject:** RE: Question re UIC Class III Permits - answer for your review  
**Attachments:** 47FR4992.pdf

**Ex. 5 AC/DP**

Attaching the FR notice in case you want it.

Lucita Chin  
Senior Assistant Regional Counsel  
Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202  
Office: (303) 312-7832

-----Original Message-----

**From:** Tinsley, Chuck  
**Sent:** Wednesday, March 13, 2019 2:26 PM  
**To:** Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>  
**Cc:** Arnold, Rick <Arnold.Rick@epa.gov>  
**Subject:** RE: Question re UIC Class III Permits - answer for your review

**Ex. 5 AC/DP**

## Ex. 5 AC/DP

Chuck Tinsley, Petroleum Engineer  
Underground Injection Control Section  
303-312-6266 office  
tinsley.chuck@epa.gov

mailing address:  
EPA Region 8 (8WP-SUI)  
1595 Wynkoop Street  
Denver, CO 80202

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From: Chin, Lucita  
Sent: Wednesday, March 13, 2019 11:24 AM  
To: Minter, Douglas; Shea, Valois; Bahrman, Sarah  
Cc: Tinsley, Chuck; Arnold, Rick  
Subject: RE: Question re UIC Class III Permits - answer for your review

Right. I'll help to check that out. I'll try and get to this today or tomorrow.

Lucita Chin  
Senior Assistant Regional Counsel  
Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202  
Office: (303) 312-7832

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From: Minter, Douglas  
Sent: Wednesday, March 13, 2019 11:24 AM  
To: Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>  
Cc: Tinsley, Chuck <Tinsley.Chuck@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>  
Subject: RE: Question re UIC Class III Permits - answer for your review

## Ex. 5 AC/DP

Once others have weighed in, please copy us on your response.

Douglas  
From: Shea, Valois  
Sent: Wednesday, March 13, 2019 10:02 AM  
To: Minter, Douglas <Minter.Douglas@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>  
Cc: Tinsley, Chuck <Tinsley.Chuck@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>  
Subject: RE: Question re UIC Class III Permits - answer for your review

Wendy asked the National Tech Workgroup for their input. Kurt Hildebrandt directed us to a Preamble paragraph.

The answer I plan to send to Steve Owens:

# Ex. 5 AC/DP

Thanks for looking this over!

Valois

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Valois Shea  
U.S. EPA Region 8  
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Denver, CO 80202-1129  
Phone: (303) 312-6276  
Fax: (303) 312-6741  
Email: shea.valois@epa.gov<mailto:shea.valois@epa.gov>

From: Minter, Douglas  
Sent: Friday, March 8, 2019 2:32 PM  
To: Shea, Valois <Shea.Valois@epa.gov<mailto:Shea.Valois@epa.gov>>; Chin, Lucita <Chin.Lucita@epa.gov<mailto:Chin.Lucita@epa.gov>>  
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov<mailto:Bahrman.Sarah@epa.gov>>; Tinsley, Chuck <Tinsley.Chuck@epa.gov<mailto:Tinsley.Chuck@epa.gov>>; Arnold, Rick <Arnold.Rick@epa.gov<mailto:Arnold.Rick@epa.gov>>  
Subject: FW: Question re UIC Class III Permits

Hi Valois: please review this and advise us on a draft response.

## Ex. 5 AC/DP

FYI, this national law firm has represented other UIC permittees.

Thanks,

Douglas

From: Owens, Steve <steve.owens@squirepb.com<mailto:steve.owens@squirepb.com>>  
Sent: Friday, March 8, 2019 2:08 PM  
To: Minter, Douglas <Minter.Douglas@epa.gov<mailto:Minter.Douglas@epa.gov>>  
Subject: Question re UIC Class III Permits

Hi Douglas:

I hope you are doing well.

I am writing to request your assistance.

By way of introduction, I served as the Assistant Administrator for the Office of Chemical Safety & Pollution Prevention (OCSPP) at EPA HQ during the first few years of the Obama Administration. I also previously was the Director of the Arizona Department of Environmental Quality.

I am doing some research on UIC Class III permits. In particular, I am looking at how different jurisdictions have treated the Part 2 mechanical integrity testing (MIT) requirement for Class III wells set out in 40 CFR §146.8(c)). As you know, section 146.8(c) states that the result of a temperature or noise log should be used to demonstrate the Part 2 external MIT, but it allows for the use of cementing records where the nature of the casing in a Class III well precludes the use of a temperature or noise log.

Some of the UIC Class III permits I have seen seem to generally parrot the section 146.8(c) language, but I noticed that the draft UIC Class III permit issued by Region 8 for the Dewey Burdock project in South Dakota requires only the use of cementing logs for the Part 2 external MIT (without reference to temperature or noise logs). I am curious about the rationale for Region 8's approach in the Dewey Burdock permit. Did you conclude up front that the casing to being used will make the use of a temperature or noise log infeasible? I have looked at the documents available on the Region 8 website pertaining to the permit, but I have not found anything that really discusses this. Can you please provide me with the thinking behind the language in the Dewey Burdock permit relating to the Part 2 external MIT or point me to where I can find it?

Just FYI, for the record, the research I am doing is not focused on or related to the Dewey Burdock project.

Thanks in advance for your help.

Best,

Steve

[Squire Patton Boggs]

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47 Offices in 20 Countries

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